United Nations CRPD/C/SVN/Q/1

Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Slovenia*

A. Purpose and general obligations (arts. 1-4)

1. Please inform the Committee about the extent to which the different definitions of disability and the mechanisms for determination of disability are aligned with the human rights model of disability enshrined within the Convention.

2. Please inform the Committee about the outcomes of the national Action Programme for Persons with Disabilities 2007-2013 and about the process to implement the national Action Programme for Persons with Disabilities 2014-2021, and provide updated information on the current strategic framework for the implementation of the Convention.

3. Please inform the Committee about measures to ensure meaningful consultation with organizations representing persons with disabilities in decision-making and policymaking at the governmental and municipal levels.

4. Please inform the Committee about measures taken to implement provisions on reasonable accommodation and universal design through legislation and policies, and on the outcomes of the measures taken.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

5. Please inform the Committee about whether denial of reasonable accommodation is considered to be disability-based discrimination. Please also inform the Committee about whether the anti-discrimination law includes intersectional and multiple discrimination.

Women with disabilities (art. 6)

6. Please provide information on measures taken to combat inequality experienced in all areas of life by women and girls with disabilities, especially in education, health care and employment. Please also provide information on measures taken to mainstream disability into gender equality policies and programmes.

7. Please elaborate on the results of the survey on violence against physically impaired women (see CRPD/C/SVN/1, para. 84), and also on measures taken to protect girls with intellectual and psychosocial disabilities from sexual violence and abuse.

* Adopted by the pre-sessional working group at its eighth session (4-8 September 2017).

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Children with disabilities (art. 7)

8. Please inform the Committee about the outcomes of national programmes aimed at preventing family violence, and about national programmes focusing on children and youth, with reference to children with disabilities.

9. Please inform the Committee about specific legislation aimed at promoting, protecting and guaranteeing the rights of children with disabilities.

10. Please provide information on support measures for children with disabilities experiencing violence, especially for girls with intellectual and/or psychosocial disabilities who are at risk of being exposed to sexual abuse, and on the training of professionals working with them.

11. Please provide data on children with disabilities living in residential institutions, disaggregated by sex and type of disability.

12. Please inform the Committee about measures taken to prevent the institutionalization of children with disabilities, and to guarantee their deinstitutionalization. Please also inform the Committee about the development of inclusive and community-based services for children with disabilities and their families, including facilitation of the adoption of children with disabilities.

Awareness-raising (art. 8)

13. Please inform the Committee about measures taken to sensitize the mass media on the rights of persons with disabilities.

Accessibility (art. 9)

14. Please provide updated information about the outcomes of the Accessible Slovenia Strategy.

15. Please inform the Committee about compliance and sanctioning mechanisms in relation to paragraphs 36-38 of the State party report (CRPD/C/SVN/1), and about measures taken to overcome the difficulties highlighted in paragraph 39.

Right to life (art. 10)

16. Please provide data, disaggregated by age, gender and disability, on deaths reported to have occurred in institutions, as well as on the results of investigations carried out on the possible causes.

Situations of risk and humanitarian emergencies (art. 11)

17. Please inform the Committee about legal and other measures to ensure the protection and safety of persons with disabilities in situations of risk. Please also inform the Committee about the involvement of organizations of persons with disabilities in the design and implementation of disaster risk reduction strategies.

Equal recognition before the law (art. 12)

18. Please provide data on persons deprived of their legal capacity and who are still under guardianship, including on their place of living. Please also provide data on persons whose legal capacity has been fully reinstated since the ratification of the Convention.

19. Please inform the Committee about measures taken to abolish the deprivation of legal capacity of persons with psychosocial disabilities, and to replace substituted decision-making and guardianship with supported decision-making.

Access to justice (art. 13)

20. Please provide information on measures taken to guarantee accessibility for persons with disabilities to the justice system, as well as on the availability of procedural accommodation during the legal process, particularly for persons with intellectual and/or

psychosocial disabilities. Please also provide information on cases in which State-funded legal aid in courtrooms and sign language interpreters have been provided.

21. Please inform the Committee about measures taken to train judges and other professionals in the judicial system on the human rights model of disability enshrined in the Convention.

Liberty and security of the person (art. 14)

22. Please inform the Committee about measures taken to eliminate deprivation of liberty of persons with psychosocial disabilities on grounds of their impairment or for other reasons, including their actual or perceived dangerousness to themselves or others, and about measures adopted to ensure they are not subjected to involuntary or non-consensual commitment and treatment in mental health institutions.

23. Please provide information on the measures taken to provide persons with disabilities who are deprived of their liberty with reasonable accommodation, including access to technical, medical and hygiene facilities.

Freedom from exploitation, violence and abuse (art. 16)

24. Please inform the Committee about legislative and measures taken to prevent violence against persons with disabilities, and to ensure protection to persons with disabilities exposed to violence and abuse in institutions and other settings, and about measures to provide redress to them.

25. Please provide data on violence against persons with disabilities in institutions, and inform the Committee whether the situation of persons with disabilities still living in institutions is regularly monitored by independent human rights-based mechanisms.

Living independently and being included in the community (art. 19)

26. Please provide updated information about the development of personal assistance and of community-based independent living schemes.

27. Please provide data, disaggregated by sex, age, ethnicity and disability, on persons with disabilities living in residential institutions and on measures to implement a road map for their deinstitutionalization, and inform the Committee about progress achieved so far in this process.

Personal mobility (art. 20)

28. Please inform the Committee about the availability of support for the acquisition of quality mobility aids, devices, assistive equipment and adaptations for persons with physical, visual and hearing disabilities.

Freedom of expression and opinion, and access to information (art. 21)

29. Please inform the Committee about measures taken to guarantee the accessibility of information by persons with disabilities, including in Braille, sign language, Easy Read and other alternative and augmentative means and modes of communication.

Respect for home and the family (art. 23)

30. Please inform the Committee about measures to repeal the provisions that prevent persons with disabilities from getting married or becoming a foster parent, in the case of persons who are labelled as being "mentally incompetent".

Education (art. 24)

31. Please provide updated data on children with disabilities, disaggregated by disability, sex and age, who are enrolled in inclusive and specialized educational settings at all levels of education (including in home schooling).

32. Please report on the outcomes of the inclusive education policy.

Health (art. 25)

33. Please provide information on measures taken to improve access to health facilities and services for persons with disabilities, including on the realization of the right and of access to sexual and reproductive health services for women and girls with disabilities, in particular in institutionalized settings.

Habilitation and rehabilitation (art. 26)

34. Please inform the Committee about ongoing legal reforms regarding rehabilitation programmes, aimed at fostering independent living of persons with disabilities in the community.

Work and employment (art. 27)

35. Please provide updated data in relation to table No. 6 (see CRPD/C/SVN/1, para. 189). Please also provide data, disaggregated by disability and sex, on persons with disabilities employed in open and sheltered employment, as well as on persons with disabilities in short-term and long-term unemployment.

36. Please provide information on the effectiveness of the quota system in promoting the employment of persons with disabilities in the open labour market.

37. Please provide information on the available provisions and incentives to guarantee reasonable accommodation for persons with disabilities, enabling their employment in the open labour market.

Adequate standard of living and social protection (art. 28)

38. Please provide information on income and poverty levels among persons with disabilities, compared to persons without disabilities, and provide information on the effectiveness of the social protection measures and mechanisms to support persons with disabilities, that were introduced to accompany austerity measures related to the economic crisis.

Participation in political and public life (art. 29)

39. Please inform the Committee about progress made in terms of ensuring the availability of accessible polling stations, voting procedures and voting materials for persons with disabilities, and whether manifestos of political parties and electoral campaigns are provided in accessible formats.

40. Please provide information on efforts made to encourage the participation of persons with disabilities in public and political life.

Participation in cultural life, recreation, leisure and sport (art. 30)

41. Please update the Committee about progress made to ensure equal access and equal recognition for persons with disabilities in sports and in cultural life.

C. Specific obligations (arts. 31-33)

Statistics and data collection (art. 31)

42. Please inform the Committee about the plans envisaged to establish a mechanism to systematically collect and analyse disaggregated data on persons with disabilities, in line with the Convention. Please also inform the Committee about measures taken to incorporate the Washington Group Short Set of Questions on Disability in forthcoming censuses and household surveys.

International cooperation (art. 32)

43. Please provide information on:

(a) How the European Union structural funds are being used to promote deinstitutionalization;

(b) The extent to which persons with disabilities, through their representative organizations, are being involved in the administration of European Union structural funds with regard to disability;

(c) How (a) and (b) are linked to the implementation of the Sustainable Development Goals.

National implementation and monitoring (art. 33)

44. Please elaborate on the capacities and functions of the national council for persons with disabilities. Please also inform the Committee about the full involvement of persons with disabilities in the decision-making process related to the allocation of resources for the implementation of the Convention. Please also provide information on efforts made to establish an independent monitoring mechanism, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and on the measures envisaged to ensure the involvement of organizations representing persons with disabilities in this framework.